

REMARKS

This Amendment is filed in response to the Office Action dated November 26, 2004, which has a shortened statutory period set to expire February 26, 2004.

Rejections Under 35 U.S.C. 103

Claims 1, 6, 9, 16-19, 22-24, 27-31, and 34-35

Claims 1, 6, 9, 16-19, 22-24, 27-31, and 34-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,654,722, issued November 25, 2003 to Aldous et al. (hereinafter "Aldous") in view of U.S. Patent No. 6,070,187, issued May 30, 2000 to Subramaniam et al. (hereinafter "Subramaniam"). Applicants respectfully traverse these rejections in light of the above amendments and the following remarks.

Claim 1, as amended, recites in part "a configuration server for **performing a blasting process to provide automated dynamic management of the network server.**" (Emphasis added.) Support for this clarifying amendment is found in the specification as originally filed at least at page 19, lines 1-15. No new matter is added. The "blasting process" recited in Claim 1 is "different from, but complimentary to, network boot and dynamic host configuration protocol (DHCP)"... [and] creates a working system image on the blasted computer together with all appropriate software" (specification, page 19, lines 7-10). As a result, the "blasting process" recited in Claim 1 beneficially allows:

the respective configurations of servers 306A-Z [to be] effectively "slaved" to the corresponding entries in configuration server 310 ..., automated software (re)configuration and updates for extant or replacement servers 306A-Z; ... automated management, assignment, re-assignment, and control of system resources via configuration server 310; and ... automated system

monitoring, inventory tracking, auditing, and alarming (in the event of errors or failures). (Specification, page 19, line 20 through page 20, line 3.)

The Examiner states that Aldous "does not disclose expressly the configuration server", but then seems to indicate that Aldous implies as much by stating that "Aldous teaches ... a VoIP communications path between the VoIP telephony gateway-server and the speech application in the at least one speech server (*providing automated dynamic management of the network server*)." Applicants are unsure as to how the "VoIP communications path" of Aldous can be construed to teach "provid[ing] automated dynamic management of the network server", as recited by Claim 1. However, even assuming, arguendo, that such a correlation can be made, Aldous still does not disclose or suggest "a configuration server **for performing a blasting process**" (emphasis added) as recited by Claim 1. Aldous does not mention any type of system imaging or system reconfiguration, and so does not teach the "blasting process" recited by Claim 1.

Subramaniam does not remedy this deficiency of Aldous. Subramaniam describes "a configuration agent that allows a network node seeking to be automatically configured with an IP address and a default gateway address to be configured as its own gateway." (Subramaniam, col. 6, lines 1-5.) Subramaniam therefore relates to network configuration, and does not discuss "performing a blasting process to provide automated dynamic management of the network server" as recited by Claim 1.

For at least these reasons, Claim 1 is allowable under 35 U.S.C. 103(a) over Aldous in view of Subramaniam. Claims 16-19 depend from Claim 1, and are therefore allowable over Aldous in view of Subramaniam for at least the same reasons that Claim 1

is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1 and 16-19.

Claim 6, as amended, recites in part:

a proxy server in communication with the PSTN-to-IP gateway for load balancing the plurality of calls **and providing differentiated and targeted service control for the plurality of calls** amongst the plurality of network servers. (Emphasis added.)

Support for this amendment is found in the specification as originally filed at least at page 16, line 17 through page 17, line 11. No new matter is added. A "proxy server ... providing differentiated and targeted service control" as recited in Claim 6 can beneficially provide, for example, "[stoppage of] the acceptance of calls for one legal entity (e.g. by dialed phone number) in accordance with one or more limits (e.g. contracts, fairness (everyone has to have capacity for at least X calls), etc.)". (Specification, page 16, line 23 through page 17, line 2.)

Applicants respectfully submit that neither Aldous nor Subramaniam, either individually or in combination, disclose or suggest this limitation. Aldous does mention "performing load balancing in order to ensure the high-availability of VoIP Enables Speech Servers 5", but does not disclose or suggest "providing differentiated and targeted service control" as recited by Claim 6. Meanwhile, Subramaniam does not discuss call handling at all, and therefore certainly does not disclose "targeted service control for the plurality of calls amongst the plurality of network servers" as recited by Claim 6.

For at least these reasons, Claim 6 is allowable under 35 U.S.C. 103(a) over Aldous in view of Subramaniam. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 6.

Claim 9, as amended, recites in part:

applying differentiated and targeted service control to the packet switched call to forward the packet switched call in the VoIP format from the conversion device to a computer system. (Emphasis added.)

Support for this amendment is found in the specification as originally filed at least at page 16, line 17 through page 17, line 11. No new matter is added.

Thus for at least reasons substantially similar to those presented above with respect to Claim 6, Claim 9 is allowable under 35 U.S.C. 103(a) over Aldous in view of Subramaniam. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 9.

Claim 22, as amended, recites:

a proxy server in communication with the IP network medium and the network server, wherein the proxy server provides differentiated and targeted service control for the call. (Emphasis added.)

Support for this amendment is found in the specification as originally filed at least at page 16, line 17 through page 17, line 11. No new matter is added. Note that Claims 23-25, which depend from Claim 22, are amended to maintain consistency with amended Claim 22.

Thus for at least reasons substantially similar to those presented above with respect to Claim 6, Claim 22 is allowable under 35 U.S.C. 103(a) over Aldous in view of Subramaniam. Claims 23, 24, 27, and 28 depend from Claim 22, and are therefore allowable over Aldous in view of Subramaniam for at least the same reasons that Claim 22 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 22-24, 27 and 28.

Claim 29, as amended, recites:

means for providing differentiated and targeted service control over the call in operative relation to the

IP network medium and the network server. (Emphasis added.)

Support for this amendment is found in the specification as originally filed at least at page 16, line 17 through page 17, line 11. No new matter is added. Note that Claims 30, 31, 32, and 34, which depend from Claim 29, are amended to maintain consistency with amended Claim 29.

Thus for at least reasons substantially similar to those presented above with respect to Claim 6, Claim 29 is allowable under 35 U.S.C. 103(a) over Aldous in view of Subramaniam. Claims 30, 31, 34, and 35 depend from Claim 29, and are therefore allowable over Aldous in view of Subramaniam for at least the same reasons that Claim 29 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 29-31, 34, and 35.

Claims 2-5, 7-8, and 10-15

Claims 2-5, 7-8, and 10-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Aldous in view of Subramaniam and further in view of U.S. Patent No. 6,604,075, issued August 5, 2003 to Brown et al. (hereinafter "Brown"). Applicants respectfully traverse these rejections in light of the above amendments to the claims and the following remarks.

As noted above with respect to Claim 1, neither Aldous nor Subramaniam, either individually or in combination, teaches "a configuration server **for performing a blasting process**" (emphasis added) as recited by Claim 1. Brown, which teaches a "voice dialog interface for use in web-based applications implemented **over the Internet or other computer network**" (emphasis added) (Brown, col. 2, lines 32-34) does not remedy this deficiency of Aldous and Subramaniam.

Therefore, Claims 2-5, which depend from Claim 1, are allowable over Aldous in view of Subramaniam and further in view of Brown for at least the same reasons that Claim 1 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 2-5.

As noted above with respect to Claim 6, neither Aldous nor Subramaniam, either individually or in combination, teaches a "proxy server ... providing differentiated and targeted service control" as recited in Claim 6. Brown does not remedy this deficiency of Aldous and Subramanian.

Therefore, Claims 7 and 8, which depend from Claim 6, are allowable over Aldous in view of Subramaniam and further in view of Brown for at least the same reasons that Claim 6 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 7 and 8.

As noted above with respect to Claim 9, neither Aldous nor Subramaniam, either individually or in combination, teaches "applying differentiated and targeted service control to the packet switched call" as recited in Claim 9. Brown does not remedy this deficiency of Aldous and Subramanian.

Therefore, Claims 10-15, which depend from Claim 9, are allowable over Aldous in view of Subramaniam and further in view of Brown for at least the same reasons that Claim 9 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 10-15.

Allowable Subject Matter

Applicants note with appreciation the Examiner's recognition of allowable subject matter in Claims 20-21, 25-26, and 32-33. New Claims 36, 37, 38, 39, 40, and 41, are submitted that incorporate all the limitations (including relevant base claims and intervening claims) for Claims 20, 21, 25, 26, 32,

and 33, respectively (prior to any amendments made in the present paper).

Applicants further note that Claims 20-21, 25-26, and 32-33 are retained, as Applicants believe that independent Claims 1 (from which Claims 20 and 21 depend), 22 (from which Claims 25 and 26 depend), and 29 (from which Claims 32 and 33 depend) are allowable in light of the above amendments and remarks.

CONCLUSION

Claims 1-41 are pending in the present Application. Reconsideration and allowance of these claims is respectfully requested.

If there are any questions, please telephone the undersigned at (408) 451-5907 to expedite prosecution of this case.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 ON February 25, 2005.

2/25/2005 Rebecca A. Baumann
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